

REMARKS

Claims 21-42 are pending in the present application. Claims 1-20 were previously canceled, and claims 21-24 previously presented. Claims 25-42 have been renumbered, and renumbered claims 32 and 33 further amended to correct an omission. No new subject matter has been introduced by way of the new or amended claims.

*Claim Objections*

As indicated, the claims have been renumbered as requested by the Examiner. The renumbered claims are believed to be in full compliance with 37 CFR § 1.126.

*Claim Rejections Under 35 U.S.C. § 103(a)*

Claims 21-42 have been rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 4,182,960 to Reuyl in view of U.S. Patent No. 5,642,270 to Green et al. in further view of U.S. Patent No. 5,865,258 to McGrew II. Applicants respectfully disagree and submit that the pending claims are not rendered obvious by the combination of references proposed by the Examiner.

The present invention as set forth in renumbered claim 34 relates to a method for operating a hybrid electric vehicle having a battery, inverter and at least one electric motor. The method includes the step of applying DC electrical power stored in the battery to the inverter to generate AC electrical power for the motor, diverting the AC electrical power to an external load so as to operate the vehicle in a generator mode, operating the vehicle in the generator mode only if a safety condition is satisfied, and prohibiting movement of the vehicle when operating the vehicle in the

generator mode. Operation of the vehicle is allowed only if certain safety conditions are met, such as the vehicle's gear selector being in park, the doors being shut and the parking brake being applied before activation. Movement of the vehicle is prohibited, for example by communicating activation of the generator mode to all vehicle control modules so as to disable movement.

A similar method is set forth in claim 38 for a hybrid electric vehicle having a battery, DC-to-DC converter, at least one electric generator coupled to an internal combustion engine, and a generator inverter.

While Reuyl and Green et al. respectively disclose some aspects of the hybrid electric vehicle system covered by the pending claims, the references fail to teach or even suggest all of the claimed steps even when combined with McGrew II. In particular, the combination of references fails to teach or even suggest the steps of operating a hybrid electric vehicle in a generator mode only if a safety condition is satisfied and prohibiting movement of the vehicle when the vehicle is operating in a generator mode.

McGrew II, rather, discloses a golf course maintenance machine for turf maintenance. (U.S. Patent No. 5,865,258 at Abstract.) The machine is used for "placing a putting cup, grooming a sand trap, cutting turf patches and other maintenance activities known around golf courses and frequently referred to as greenskeeping." (U.S. Patent No. 5,865,258 at Col. 1, lines 3-7.) McGrew II discloses a drive motor 26, axle 24 and housing 20 with a differential, but does not disclose whether the cart's includes one or more of an internal combustion engine, battery, generator or motor. (See U.S. Patent No. 5,865,258 at Col. 4, lines 30-37). The cart disclosed by McGrew II is clearly not a hybrid electric

vehicle, or any vehicle that could be operated in a generator mode to power an external electrical load as required by the pending claims.

While McGrew II discloses generally a means for prohibiting movement, McGrew is silent on criteria for operating the cart in one mode (i.e., generator mode) versus another based on whether or not a safety condition is satisfied. McGrew II fails to teach or suggest operating the cart in different operating modes, let alone conditioning the operation of different modes. McGrew II thus teaches away from the claimed invention by not distinguishing between different operating modes of the cart.

Accordingly, there is no teaching, suggestion or even motivation to combine the cited references in the manner proposed by the Examiner, especially with respect to the McGrew II reference. There is nothing in the cited references, as a whole, to suggest the desirability of the proposed combination of references. The combination as such amounts to impermissible hindsight reconstruction of the applicant's own disclosure.

Applicant respectfully disagrees with the Examiner's rejection of the claims, and submit that the above-referenced claims are in condition for allowance.

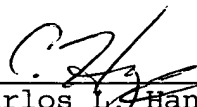
If any further amendment is necessary to advance prosecution and place this case in allowable condition, the Examiner is courteously requested to contact the undersigned by fax or telephone at the number listed below.

Please charge any cost incurred in the filing of this Amendment, along with any other costs, to Deposit

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Respectfully submitted,

  
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